Remarks

Claims 42 – 53 remain pending in the present application, with claims 42 and 48 being the independent claims. As set forth below, the pending independent claims maintain or narrow the scope of original claims 17, 18, and 30 (the invention identified in Group IV) that Applicant elected in response to the restriction requirement mailed on June 28, 2004.

Original dependent claim 17 was dependent upon claim 16, which in turn was dependent upon claim 15, which in turn was dependent upon claim 14, which in turn was dependent upon claim 13, which in turn was dependent upon the base independent claim 1. Original dependent claim 17 with all of the limitations of its base claim and the intermediate claims is set forth below juxtaposed to pending independent claim 42. Applicant believes that pending claim 42 is directed to the invention elected in original claim 17 and that the amendment filed on June 28, 2005 was responsive.

Original Claim	Pending Claim
1. A network based marketing system allowing a service provider to obtain new and repeat clients, the system configured to communicate a personalized promotion, the system comprising:	42. A computer implemented network based marketing system allowing a service provider to obtain new and repeat clients, the system configured to send a personalized promotion over a communication network, the system comprising:
1[a] a database containing a plurality of client profiles, wherein each profile includes a network contact address for the respective client;	a database containing a plurality of client profiles, wherein each profile includes a network contact address for the respective client;
13. The system of claim 1, further comprising a scheduling module configured to manage a calendar of events for the service provider. 14. The system of claim 13, wherein the scheduling module is further configured to	a scheduling module configured to manage a calendar of events for a service provider, including scheduling new appointments and canceling existing appointments, the scheduling module further configured to identify an event on said calendar of events pertaining to a first client;

Original Claim	Pending Claim
schedule new appointments. 15. The system of claim 14, wherein the scheduling module is further configured to cancel existing appointments.	
1[c] a merge module configured to combine the promotion with each of the respective plurality of client profiles to create a plurality of personalized promotions; and 16. The system of claim 15, wherein the personalized promotion includes a reference providing access to the scheduling module. 17. The system of claim 16 wherein the scheduling module is further configured to send a personalized message to a client based on information stored in the client profile.	a merge module configured to create a personalized promotion comprising a personalized message, the identified event on said calendar of events, and a reference providing network access to the scheduling module, the merge module further configured to address the personalized promotion to the first client at the network contact address for said first client; and
1[d] a communication module configured to send each personalized promotion to each respective client at the network contact address for the respective client.	a communication module configured to send the personalized promotion via a communication network to the first client at the network contact address for the respective client.

Similarly, Original independent claim 30 is set forth below juxtaposed to pending independent claim 48. Applicant recognizes that claim 48 includes an additional merging step that was not present in original claim 30. This additional merging step serves to narrow the scope of original claim 30 and is consistent with the elected invention in group IV because the merging capability was present in the merge module of original claims 17 and 18. Accordingly, Applicant believes that pending claim 48 is directed to the invention elected in group IV and that the amendment filed on June 28, 2005 was responsive.

Original Claim	Pending Claim
30. A method for conducting network based marketing, comprising:	48. A computer implemented method for conducting network based marketing over a communication network to allow a service provider to obtain new and repeat clients, comprising:
searching a database containing a plurality of client profiles for an event pertaining to a client;	searching a service provider database containing a plurality of client profiles for an event pertaining to a client;
composing a personalized message to the client pertaining to the event; and	composing a personalized message to the client pertaining to the event;
	merging the personalized message with a reference providing network access to a scheduling module that manages a schedule of events for the service provider, wherein the personalized message and the reference comprise a personalized promotion;
sending the personalized message to the client via a network.	sending the personalized promotion to the client via a communication network.

Furthermore, Applicant respectfully submits that the references cited in the October 28, 2004 office action do not teach every element of the claimed invention as set forth in independent claims 42 and 48.

In particular, the claimed invention is directed toward a computer implemented system for marketing the services of a service provider over a computer network. The claimed system requires a database of client profiles where each client profile includes a network address for the client. The claimed system also requires a scheduling module that is configured to manage a schedule of events

for the service provider and identify an event on the service provider's schedule of events that pertains to a first client. The claimed system also requires a merge module that is configured to create a personalized promotion addressed to the first client at the first client's network contact address. The personalized promotion is required to include a personalized message, the identified event that pertains to the first client, and a reference providing network access to the scheduling module. The claimed system also requires a communication module that sends the personalized promotion to the first client via a communication network.

The Shane and Plainfield references do not individually or in combination teach the claimed combination of elements. Specifically, Shane does not teach a scheduling module configured to manage a schedule of events for a service provider and a personalized promotion including a reference that provides network access to the scheduling module. Shane teaches a direct mail piece that is sent to an individual and the direct mail piece includes a URL containing a unique personal identification code for the individual that allows the individual to access a unique personalized interactive webpage. Shane does not provide any teaching or disclosure related to a service provider's schedule of events or providing a client with access to that schedule of events via reference in a personalized promotion that provides network access to the scheduling module, as required by independent claims 42 and 48.

Plainfield similarly lacks any teaching or disclosure related to a service provider's schedule of events or providing a client with access to that schedule of events via reference in a personalized promotion that provides network access to the scheduling module. Plainfield teaches an interactive data entry system that entices customers or potential customers to input data about themselves for storage in a customer database. Plainfield teaches that promotional messages may be generated by the system and sent to the customers. Plainfield does not teach a scheduling module configured to manage a schedule of events for a service provider and Plainfield also does not teach that a personalized promotion include a reference that provides network access to the scheduling module, as required by independent claims 42 and 48. The other cited references do not overcome the deficiencies of Shane and Plainfield.

Accordingly, Applicant respectfully submits that independent claims 42 and 48 are presently in condition for allowance. Furthermore, because the dependent claims further refine the inventions

in the base claims, Applicant respectfully submits that the dependent claims are also in condition for allowance and a notice of allowance for all pending claims is respectfully requested.

Conclusion

If a telephone discussion would in any way facilitate the advancement of prosecution of this application, the Examiner is respectfully urged to contact the undersigned at the number listed below.

Respectfully submitted,
Procopio, Cory, Hargreaves & Savitch LLP

Dated: August 15, 2005   By:

Pattric J. Rawlins
Reg. No. 47,887

Procopio, Cory, Hargreaves & Savitch LLP
530 B Street, Suite 2100
San Diego, California 92101-4469
(619) 238-1900

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